

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

Re: Docket No. 414, 436

**SECOND AMENDED² NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON OCTOBER 4, 2023 AT 10:00 A.M. (EASTERN TIME)³**

This hearing will be conducted in-person before the Honorable Thomas M. Horan, in the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 5th Floor, Courtroom #4. All parties, including witnesses, are expected to attend in person unless permitted to appear via Zoom. Participation at the in-person court proceeding using Zoom is allowed only in the following circumstances: (i) a party who files a responsive pleading intends to make only a limited argument; (ii) a party who has not submitted a pleading but is interested in observing the hearing; or (iii) other extenuating circumstances as determined by Judge Horan.

All participants over Zoom must register at the link below.

<https://debuscourts.zoomgov.com/meeting/register/vJIsduqtrzksG21wmcSoprQgg7rQJxNRYN0>

I. CONTESTED MATTERS GOING FORWARD

1. Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed 08/09/2023, Docket No. [19](#)].

Response Deadline: August 31, 2023. The deadline to respond was extended for the Committee to September 7, 2023.

¹ A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

² **Amended items are in bold.**

³ All motions and other pleadings referenced herein are available online at the following web address: <https://cases.stretto.com/Amyris>.

Responses Received:

- a. Informal response received from the Committee as incorporated into the form of the Proposed Final Order.
- b. [REDACTED] Limited Objection of Lavvan, Inc. to Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed August 31, 2023, Docket No. [172](#)].
- c. Supplemental Objection of Lavvan, Inc. to Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed September 8, 2023, Docket No. [211](#)].
- d. Statement of the Official Committee of Unsecured Creditors Regarding the Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed September 13, 2023, Docket No. [267](#)].
- e. Preliminary Statement of Ad Hoc Cross-Holder Group to Debtors' Motion for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed September 13, 2023, Docket No. [269](#)]

Related Documents:

- A. Notice of Hearing on Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed August 10, 2023, Docket No. [40](#)].
- B. Interim Order (I) Authorizing the Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed August 11, 2023, Docket No. [54](#)].

- C. Debtors' Motion for Entry of an Order Authorizing Debtors to File Under Seal Certain Information Related to Reply of the Debtors in Support of Final Order (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief [Filed September 11, 2023, Docket No. [237](#)].
- D. Amended Declaration of Steven Fleming in Support of Reply of the Debtors in Support of Final Order (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed September 14, 2023, Docket No. [273](#)].
- E. Second Interim Order (I) Authorizing the Debtors (A) to Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief Filed September 19, 2023, Docket No. [322](#)].
- F. Notice of Amendment No. 2 to the Senior Secured Super Priority Debtor in Possession Loan Agreement [Filed September 28, 2023, Docket No. 398].
- G. **Notice of Filing (I) Revised Proposed Final Order (I) Authorizing the Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief; and (II) Notice of Amendment No. 3 to the Senior Secured Super Priority Debtor in Possession Loan Agreement [Filed October 3, 2023, Docket No. [443](#)].**
- H. **Lavvan, Inc.'s Opposition to Motion to Quash Notice of Deposition of John Doerr, and Cross-Motion to Exclude Testimony of Oksana Wright [Filed October 3, 2023, Docket No. [427](#)].**
- I. **Debtors (1) Further Opposition to Lavvan, Inc.'s Request for Imposition of an Adverse Inference and (2) Opposition to Lavvan, Inc.s Cross-Motion to Exclude Testimony of Oksana Wright [Filed October 4, 2023, Docket No. [444](#)].**

Replies:

- A. Reply Of Euagore, LLC And The Foris Prepetition Secured Lenders To Objection Of Lavvan, Inc., And Joinder To Reply Of The Debtors In Support Of Final Order (I) Authorizing Debtors To (A) Obtain Postpetition Financing And (B) To Utilize Cash Collateral, (II) Granting Adequate Protection To Prepetition Secured Parties, (III) Modifying The Automatic Stay, And (IV) Granting Related Relief [Filed September 11, 2023, Docket No. [235](#)].

- B. [SEALED] Reply of the Debtors in Support of Final Order (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed September 11, 2023, Docket No. 236].
- C. [REDACTED] Reply of the Debtors in Support of Final Order (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed September 11, 2023, Docket No. [238](#)].

Witness and Exhibit List:

- A. Debtors' Witness and Exhibit List for hearing on September 14, 2023 at 2:00 p.m. (ET) [Filed September 12, 2023, Docket No. [245](#)].
- B. The Foris Lenders' Witness and Exhibit List for Hearing Scheduled for September 14, 2023 at 2:00 p.m. (ET) [Filed September 12, 2023, Docket No. [248](#)].
- C. Lavvan, Inc.'s Witness and Exhibit List for Hearing Scheduled for September 14, 2023 at 2:00 p.m. (ET) [Filed September 14, 2023, Docket No. [272](#)].

Supplemental Opening Briefs:

- A. Brief (Opening Brief of Lavvan, Inc. in Opposition to Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed September 29, 2023, Docket No. [402](#)].
- B. Supplemental Brief of Euagore, LLC and the Foris Prepetition Secured Lenders with respect to Continued Hearing on the Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief [Filed September 29, 2023, Docket No. [403](#)].
- C. Supplemental Brief of the Debtors in Support of Entry of Final Order (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay and (IV) Granting Related Relief [Filed September 29, 2023, Docket No. [404](#)].

Supplemental Responsive Briefs: (Due: October 3, 2023 at 12:00 Noon E.T.)

- A. Joint Reply of the Debtors, Euagore, LLC, and the Foris Prepetition Secured Lenders to Opening Brief of Lavvan, Inc. in Opposition to Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed October 3, 2023, Docket No. [433](#)]
- B. Reply Brief of Lavvan, Inc. in Opposition to Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (I) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed October 3, 2023, Docket No. [435](#)]

Witness and Exhibit List:

- A. Debtors' Witness and Exhibit List for hearing on October 14, 2023 at 10:00 a.m. (ET) [Filed October 2, 2023, Docket No. [408](#)].
- B. The Foris Lenders' Witness and Exhibit List for Hearing Scheduled for hearing on October 14, 2023 at 10:00 a.m. (ET) [Filed October 2, 2023, Docket No. [407](#)].
- C. Lavvan, Inc.'s Witness and Exhibit List for Hearing Scheduled for hearing on October 14, 2023 at 10:00 a.m. (ET) [Filed October 2, 2023, Docket No. [415](#)].

Status: The matter is going forward.

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Dated: October 4, 2023

PACHULSKI STANG ZIEHL & JONES LLP

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